

REMARKS/ARGUMENTS

The Office Action mailed June 7, 2006 has been reviewed and carefully considered. Claims 1-17, 19, 21-60, and 77-101 are pending in this application, with claims 1, 98, and 99 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claim Amendments

Independent claim 1 is amended to recite that the network element comprises “means for monitoring at least one parameter related to the connection between said end element” and “means for determining if the connection between said end element and said mobile station is to be released dependent solely on said at least one parameter monitored by said means for monitoring”. Support for this amendment is found at page 12, line 20 to page 13, line 27. This portion of the specification describes parameters of the connection monitored by the radio network controller used to determine when to release the connection.

Claims 9, 12, 13, 16, 17, 24-60, and 97 are amended to be consistent with the amendments made to independent claim 1.

New independent claim 98 is directed to a radio network controller having a processor. Support for this claim is found in original claim 1 and page 12, lines 20-22.

New independent claim 99 is directed to a method and includes establishing a connection, monitoring the connection, and determining when to release the connection. Support is found in Fig. 4 and associated text.

New dependent claim 100 recites that the end element is an SGSN which is shown in Figs. 5-6. New dependent claim 101 recites that the parameter is activity of the user. This feature is disclosed at page 12, lines 24-32.

Claim rejections under 35 U.S.C. §§102 and 103

Claims 1, 3, 5, 7, 12-14, 16-17, 19, 21-23, 31-60, and 77-97 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,574,473 (Rinne).

Claims 9-11 and 24-30 stand rejected under 35 U.S.C. §103 as being unpatentable over Rinne in view of U.S. Patent No. 4,443,875 (Blausten).

Independent claim 1 is amended to recite that the network element includes “means for monitoring at least one parameter related to the connection between said mobile station and said end element”. Rinne fails to disclose this limitation because Rinne discloses only that the radio network controller receives messages sent to the radio network controller by the terminal requiring a handover (see col. 10, lines 57-58). That is, the radio network controller in Rinne does not monitor at least one parameter related to the connection between the mobile station and the end element. Rather, the radio network controller merely follows instructions in a message sent to it by the terminal.

In the Office Action, the Examiner alleges that Rinne reads on the RNC determining a new connection has to be made because it makes this determination from the message sent by the mobile or base station. However, there is no indication in Rinne that the RNC monitors at least one parameter of the connection to determine when to release the connection.

In view of the above amendments and remarks, independent claim 1 is not anticipated by Rinne under 35 U.S.C. §102.

Furthermore, there is no teaching or suggestion for monitoring, by the radio network controller, a parameter of the connection between the mobile and the end element. Accordingly, independent claim 1 is also allowable over Rinne.

Regarding Blausten, the Examiner alleges that col. 3, lines 24-31, disclose releasing if a terminal has not been used for a predetermined period of time. However, the section of Blausten referred to by the Examiner merely states that a request for termination may be delayed. This does not in any way disclose, teach or suggest that the network element monitors at least one parameter of the connection between a mobile station and an end element. Accordingly, independent claim 1 is allowable over Rinne in view of Blausten.

Independent claims 98 and 99 include similar limitations to independent claim 1 and should be allowable for the same reasons as is independent claim 1.

Dependent claims 2-17, 19, 21-60, 77-97, and 100-101, each being dependent on one of independent claims 1, 98 and 99, are allowable for at least the same reasons as independent claims 1, 98, and 99, as well as for the additional recitations contained therein.

The application is deemed to be in condition for allowance and notice to that effect is requested.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE LLP

By



Alfred W. Froeblich

Reg. No. 38,887

551 Fifth Avenue, Suite 1210

New York, New York 10176

(212) 687-2770

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